

the Office Action states that it would have been obvious to one of ordinary skill in the art at the time of the invention to provide the antimicrobial agent in the absorbent structure of Klun in a gradient, as taught by Chen, to provide a greater antimicrobial activity to one surface.

To establish a *prima facie* case of obviousness, the cited prior art references must teach or suggest all of the claim limitations. Applicants respectfully submit that neither Klun nor Chen, either alone or in combination, teach or even suggest all of the limitations of the invention as claimed. The following analysis focuses on the independent claims, Claims 1 and 14.

Independent Claim 1 recites an absorbent structure for use in an article for absorbing blood. The absorbent structure includes fibers formed into a first web, the first web having a first surface and a second surface spaced from the first surface. The absorbent structure further includes a blood absorbent enhancing agent within the first web, the blood absorbent enhancing agent present in a first amount adjacent the first surface and present in a second amount adjacent the second surface, the first amount being unequal to the second amount.

Independent Claim 14 recites an absorbent structure for use in an article for absorbing blood. The absorbent structure includes a first web comprising fibers that are bonded together, the first web having a first density. The absorbent structure further includes a second web comprising fibers, wherein the second web has a first surface and a second surface spaced from the first surface, a blood absorbent enhancing agent present in a first amount adjacent the first surface and present in a second amount adjacent the second surface, the first amount being unequal to the second amount.

The Klun reference generally describes hydrophilic polypropylene fibers having antimicrobial activity. Referring to FIGURE 1, an absorbent device 10 having an absorbent layer 11 is comprised of one or more layers of non-woven or woven fabrics, webs, or fiber batts,

LAW OFFICES OF
CHRISTENSEN O'CONNOR JOHNSON KINDNESS^{PLLC}
1420 Fifth Avenue
Suite 2800
Seattle, Washington 98101
206.682.8100

which may include these hydrophilic polypropylene fibers, as well as other commonly used hydrophilic fillers (see Col. 7, line 62, to Col. 8, line 2; Col. 6, lines 25-30).

Chen generally describes a method of producing an open low-density absorbent fibrous structure. Referring to Col. 15, lines 23-43, Chen mentions that there may be a gradient in material properties:

The absorbent fibrous structure can have gradients in material properties extending in the thickness direction or in directions in the plane of the absorbent fibrous structure. Gradients or variations in basis weight and thickness can readily be provided, but other material properties such as fiber composition, pore size, wettability, and the like can have gradients as well.

Applicants respectfully submit that Chen fails to cure the deficiencies of Klun because Chen fails to teach or suggest a blood absorbent enhancing agent present in a first amount adjacent the first surface of the web, and present in a second amount adjacent the second surface of the web. While Chen may generally describe a gradient in "material properties", it fails to describe any gradient in a blood absorbent enhancing agent.

For these reasons, Claims 1 and 14 and the claims depending therefrom are not *prima facie* obvious over Klun in view of Chen, and therefore should be allowable.

Rejection of Claims 4, 5, 16, and 17 Under 35 U.S.C. § 103(a)

Claims 4, 5, 16, and 17 stand rejected under 35 U.S.C. § 103(a) as being obvious over Klun in view of Chen, and further in view of U.S. Patent No. 6,013,252, issued to Terao et al. (hereinafter "Terao"). Because Terao fails to cure the deficiencies of Klun and Chen (described above), applicants respectfully submit that dependent Claims 4, 5, 16, and 17 are not *prima facie* obvious over Klun in view of Chen and Terao, and therefore should be allowable.

Rejection of Claims 10-13, 18-23, and 27 Under 35 U.S.C. § 103(a)

Claims 10-13, 18-23, and 27 stand rejected under 35 U.S.C. § 103(a) as being obvious over Klun in view of Chen, and further in view of U.S. Patent Publication No. 2003/0236511 A1,

LAW OFFICES OF
CHRISTENSEN O'CONNOR JOHNSON KINDNESS^{LLC}
1420 Fifth Avenue
Suite 2800
Seattle, Washington 98101
206.682.8100

applied for by Jones et al. (hereinafter "Jones"). Because Jones fails to cure the deficiencies of Klun and Chen (described above), applicants respectfully submit that dependent Claims 4, 5, 16, and 17 are not *prima facie* obvious over Klun in view of Chen and Terao, and therefore should be allowable.

Conclusion

In view of the foregoing remarks, applicants respectfully request reconsideration and allowance of all claims. The Examiner is invited to telephone the undersigned attorney if there are any remaining issues.

Respectfully submitted,

CHRISTENSEN O'CONNOR
JOHNSON KINDNESS^{PLLC}



Jeffrey M. Sakoi
Registration No. 32,059
Direct Dial No. 206.695.1713

I hereby certify that this correspondence is being deposited with the U.S. Postal Service in a sealed envelope as first-class mail with postage thereon fully prepaid and addressed to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the below date.

Date: 7/19/06 Carole Julyan

JMS/ECP:cj

LAW OFFICES OF
CHRISTENSEN O'CONNOR JOHNSON KINDNESS^{PLLC}
1420 Fifth Avenue
Suite 2800
Seattle, Washington 98101
206.682.8100